



MA Marine Fisheries Advisory Commission

March 9, 2017 Meeting Summary

This document serves as a brief summary of the March 9, 2017 Marine Fisheries Advisory Commission (MFAC) business meeting. It provides only an overview of the votes taken and items discussed. Further discussion of each item is captured in MFAC business meeting minutes for this date.

Action Items

DMF made a series of recommendations to the MFAC for final regulations. These recommendations follow this winter's [public hearings](#). The MFAC reviewed and voted in favor of all DMF's recommendations. These changes are expected to go into effect for 2017. A brief summary of each approved regulation follows.

- **Whelk Management.** All commercial fishermen fishing for or in possession of channeled or knobbed whelk will be required to have a "chute gauge" made of rigid material. The gauge is to measure at least 6" length by 2 7/8" internal width by 1 1/2" wall height. All whelks are to be measured in the "any orientation" method with this gauge. The "any orientation" method requires a whelk to be placed with the operculum facing down as flat as possible on the gauge and its siphonal canal at any angle to the side walls (see image). A whelk shall be considered sub-legal size if it can fit through the chute gauge using this method of measurement. Additional gauge size increases of about 1/8" are expected to occur biennially beginning in 2019; additional public hearings will likely be held in 2018 to discuss this schedule. Dealers and processors may be exempt from the gauge standard for whelks imported from out of state provided the whelks were lawfully harvested outside of Massachusetts waters and all containers have shellfish tags naming the state of origin.



Note that DMF did not make a recommendation to adopt a summertime conch pot haul out period and whelk fishery closure.

- **Opening of River Herring Spawning Runs.** Regulations now clarify how to allow the harvest of river herring for personal use from specific spawning runs that have an ASMFC-approved Sustainable Management Plan. Entities managing spawning runs will be required to issue annual harvest permits and daily harvest receipts. All daily harvest receipts expire within 3-weeks.
- **Commercial Scup Limits.** Draggers will be allowed to retain and land scup seven days per week from May 1 – October 31; during this period, these vessels will be subject to a 10,000 pound weekly aggregate limit. Hook and line and pot fishermen will be allowed to fish seven days per week beginning July 1 (at the existing 1,500 pound daily limit). Lastly, the weir fishery set-aside will be increased from 275,000 pounds to 300,000 pounds.

- **Commercial Striped Bass Limits.** Commercial fishermen will be authorized to take the 15-fish limit only when fishing under the authority of a boat-based permit and onboard the vessel named on the permit. All shore-based commercial fishing (and commercial fishing not conducted aboard the vessel named on the boat-based permit) will be limited to 2 fish.
- **Spring Commercial Tautog Season.** The spring commercial tautog season will be eliminated. The entire annual commercial quota will be allocated to the fall fishery that begins on September 1.
- **Commercial Witch Flounder Limits.** The state-waters witch flounder trip limits will be reduced from 1,000 pounds to 750 pounds. This limit applies to any vessel fishing under the authority of a Groundfish Permit Endorsement (GE) or any federal groundfish permit holder fishing in state-waters.
- **Mixing of Recreational and Commercial Trips.** It will be unlawful for any person or vessel to conduct recreational and commercial fishing activity on the same trip. An exemption was created for vessels involved with the commercial rod and reel bluefin tuna fishery that are also catching other species for recreational purposes.
- **Non-Trap Structures to Attract Lobsters.** The on-the-water possession and/or setting of non-trap structures designed to attract lobsters, like porcelain tanks or cement planters, will be prohibited.
- **Night Fishing in Conch and Fish Pot Fisheries.** Commercial fish pot and conch pot fishermen will be prohibited from hauling their gear from ½-hour after sunset to ½-hour before sunrise.
- **Commercial Menhaden Trip Limit Trigger.** Limited entry commercial menhaden permit holders will be able to land up to 125,000 pounds of menhaden until 85% of the annual quota is taken. Once 85% of the quota is taken the trip limit is reduced to 25,000 pounds. The reduction in the trip limit from 125,000 pounds to 25,000 pounds previously occurred when 75% of the annual quota was taken.
- **Cancer Crab Bycatch Limits for Net Fishermen.** The cancer crab bycatch limit for net fishermen will be increased to 1,000 crabs per trip. This trip limit was previously set at 200 crabs per day not to exceed 500 crabs on a multi-day trip. Additionally, the possession of cancer crabs by net fishermen cannot exceed 50% of the total catch by weight of all retained fish.
- **Trawl Fishery Measures.** Several minor changes will be made to existing trawl fishing rules. First, the push-pull pressure for measuring large meshes will be increased from 5 kilograms (kg) to 8 kg consistent with federal rules. Second, a minimum net mesh of 1 7/8" will be established for the small mesh trawl squid fishery in state-waters; this is consistent with the federal minimum net mesh for this fishery during Trimester 2. Lastly, as the possession and landing of windowpane flounder has been prohibited since 2012, the reference to this species in the squid fishery flatfish allowance will be eliminated.
- **Gillnet Highflyers.** Gillnet fishermen will no longer be required to outfit their highflyers with tetrahedral radar reflectors.

Discussion Items

Mobile Gear Limits for Horseshoe Crabs. At this winter's public hearings, DMF proposed increasing mobile gear limits for horseshoe crabs and exempting mobile gear fishermen from the lunar closures. However, after further analysis and a review of public comment, DMF recommended status quo management for 2017. This proposal was developed to address shortages of crabs available to the bio-medical industry for lysate production in 2016.

Permitting. DMF informed the MFAC that three adjustments to permitting regulations will be implemented for the spring of 2017. First, DMF will allow the transfer of Lobster Management Area 1 Offshore Lobster Trap Permits with federal trap allocations. Second, DMF will issue new Lobster Management Area 2 Offshore Lobster Trap Permits to businesses with federal lobster trap allocations for the area. Third, the language regarding the Bay Scallop Shucking Endorsement will be revised to clarify that this endorsement allows for the *onshore* shucking of bay scallops by fishermen.

Commercial Black Sea Bass. For 2017, the state's commercial black sea bass quota has been increased 53%, to about 530,000 pounds. DMF is developing a straw-man proposal to adjust commercial fishing

limits to allocate this fish across user groups. The proposal will consider a bycatch allowance for trawlers, an increase to the weir fishery set-aside, and adjustment to the limits, seasons, and fishing days for the directed pot and hook and line fishery. DMF will publish this straw-man proposal later in March. Public scoping meetings will then be held in late-March or early-April to discuss the proposal. DMF will then bring a recommendation to the MFAC at their April meeting. If supported, emergency regulations will be filed by May 1, 2017 to adjust commercial black sea bass limits for this season.

Recreational Black Sea Bass. The ASMFC approved status quo regulations for all states, but this decision may not be supported by NMFS due to projected overharvest of the coastwide recreational harvest limit in 2017. This could prompt the ASMFC to reconsider its decision in mid-April when final recreational harvest estimates for 2016 are expected. Regardless, DMF is committed to retaining status quo regulations for MA this year by focusing any action to reduce harvest on the fall and early winter fisheries in other states.

Recreational Fluke. The ASMFC passed an addendum requiring MA to increase its size limit by 1" (from 16" to 17") and reduce its bag limit by 1 fish (from 5 fish to 4 fish). MA has submitted a request to the ASMFC for an exemption from the bag limit reduction because the difference in recreational harvest in MA between the two limits is negligible. A decision by ASMFC is expected at the end of March.

Future Meetings

Spring 2017 meetings have been scheduled for April 6, May 4 and June 15. All meetings are held at 10:30 AM at the MA Division of Fish and Wildlife's Headquarters, 1 Rabbit Hill Road, Westborough. The MFAC business meeting schedule is published on the [Division's website](#) and agendas are made available approximately one week before the scheduled meeting.

If you would like to obtain any materials regarding past or upcoming MFAC business meetings, please contact Jared Silva at DMF (617-626-1534 or jared.silva@state.ma.us).